



ENVIRONMENTAL & REGULATORY SERVICES DIVISION
BUREAU OF PECFA
9316 North 107th Street
Milwaukee, Wisconsin 53224-1121
TDD #: (608) 264-8777

Jim Doyle, Governor
Jack L. Fischer, A.I.A., Secretary

Wisconsin Department of Commerce, Bureau of PECFA Bid Document

SECTION 1 - Scope of Work

The Bureau of PECFA is seeking competitive bids to perform remedial services for a petroleum release from a regulated petroleum product storage tank system. This bid is for a specified work scope. The site upon which bids are being solicited is:

Bid Round: 53

Comm #: 53019-9999-00-A

BRRTS #: 02-20-195722

Site Name: Flood Oil Company, Inc. Bulk Plant

Site Address: 101 Track Lane, Eden, 53019

Bid Manager: Monica Weis

Address: 9316 North 107th Street

City, State Zip: Milwaukee, Wisconsin 53224-1121

Phone: (414) 357-4705

e-mail: Monica.Weis@Wisconsin.Gov

Bid-Start Date:	February 4, 2008
Questions must be received by (See Section 2 (B)):	February 18, 2008, 4:00 PM
Responses will be posted by (See Section 2 (B)):	March 7, 2008
Bid-End Date and Time:	March 21, 2008, 4:00 PM

The case file, including report(s) and other pertinent information upon which bids are being sought, are available for review at the Site Manager's location listed above. Please contact the Site Manager for an appointment to review the file.

Copies of report(s) and other pertinent information are available for purchase at the location listed below. If pertinent information is not available, please contact the Site Manager.

Ivize-Milwaukee, 757 N. Broadway, Ste. 200, Milwaukee, WI 53202
Phone: (414) 276-2679 Fax: (414) 276-1529

SECTION 2 – Site-Specific Bid Requirements

General Comments

The Flood Oil Company site (approximately 1.25 acres) was formerly used as a bulk petroleum storage and distribution facility. Seven above ground storage tanks (ASTs) and a loading rack were removed from the site in May 2001. The most recent information indicates that each of the ASTs contained unleaded gasoline prior to removal. The estimated depth to bedrock at the site is twenty feet below ground surface (bgs). An intermittent creek is located approximately 400 feet southwest of the site. Marshes, ponds, wetlands, and residences with private wells surround the site. The Friday Canning Company (Chiquita Processed Foods, LLC) is located to the west of the subject site and has three identified operating process wells and one abandoned process well on the property.

The ground surface is relatively flat and covered with gravel and/or grass. Subsurface soils consist of inter-bedded clay and silty clay with trace amounts of sand and gravel to a depth of approximately twenty feet bgs where bedrock is encountered.

Groundwater levels fluctuate between 4 and 14 feet bgs. Groundwater flow is toward the southwest.

Minimum Remedial Requirements

Soil Excavation and Offsite Disposal:

Contaminated soils in the areas outlined on the extent of excavation map (posted on the Commerce web site) are shown as Areas 1, 2 and 3 present a direct contact risk and shall be excavated and disposed of offsite.

The overall excavation shall extend to a depth of approximately four feet with the exception of Area 2, which will extend to a depth of eight feet bgs. The depth of the excavation does not have to expand laterally if it appears that contamination has not migrated to the excavation boundary. Conversely, if the contamination appears to extend beyond the excavation boundary, it may be necessary to excavate farther. Provide contingency costs on a per ton basis to excavate beyond the boundary. These “contingency” areas are identified on the attached site figure as Contingency A and Contingency B. The bid response shall be based on a volume of 693 tons (433 cubic yards) and include cost per ton for soil excavation and disposal. Since the excavation will extend below the groundwater table in Area 2, a compliant bid must include costs for groundwater extraction from the excavation, if necessary. For purposes of bidding assume 2,000 gallons will be pumped and properly disposed of at a contingency unit rate (\$/gallon) in case it is necessary to remove groundwater.

Please note that PECFA reimbursable excavation activities shall not extend below 4 feet bgs except in Area 2. No additional contingency costs for soil excavation and removal will be approved for volumes associated with excavating more than 4 feet bgs in Areas 1 and 3 and contingency areas A and B. Additionally, the planned excavation will be close to MW-12P. The consultant and their subcontractors shall take all necessary steps to protect the well from damage during the excavation.

Collect a soil confirmation sample for every 20 feet of excavation wall. Collect one sample from zero to four foot depth at each location for laboratory analysis for petroleum volatile organic compounds (PVOCs) plus naphthalene. All costs for soil sampling and soil/water disposal must be included in bid. The excavation shall be back-filled with imported clean, like material (silt and/or clay-rich soils) and compacted in one foot lifts.

The cost to fulfill *all* landfill requirements for waste characterization analysis prior to soil disposal must be included. Be aware that Toxicity Characteristic Leaching Potential (TCLP) documentation and sampling requirements vary depending on the landfill. Therefore, bidders must include a line-item cost for TCLP sample collection and analysis, to be used if required.

Well Abandonment and Reinstallation:

Monitoring wells MW -3, MW-4, MW-5, MW-6P, MW-14, and MW-16 shall be abandoned in accordance with chapter NR 141, Wis. Adm. Code prior to excavation.

Replace wells MW-4, MW-5, MW-14 and MW-16 as water table wells after excavation in the same location as the original wells. Well screens should be placed approximately 4-14 feet bgs to intersect the groundwater table. If the excavation extends into either contingency area and it is necessary to remove MW-7, MW-12P, MW-13, or MW-15, the wells must be properly abandoned and replaced (except MW-7 and MW-12P) in the same location as the original wells. Provide a contingency cost to remove and replace wells in either contingency area if necessary.

All new (replacement) wells will be surveyed and tied into the existing well network. Soil boring logs and well installation documents must be completed in compliance with chapter NR 716 and/or NR 141, Wis. Adm. Code.

Groundwater Monitoring:

Beginning no sooner than three months after the excavation is completed, conduct four quarters of post excavation groundwater monitoring at existing wells MW-7, MW-10, MW-11, MW-12P, MW-13, MW-15 and replacement wells MW-4, MW-5, MW-14 and MW-16. Analyze groundwater samples for petroleum volatile organic compounds (PVOCs) plus naphthalene and 1,2-Dichloroethane. Water level elevations shall be taken at all wells, including those not being sampled, during each sampling event and a groundwater flow map generated for each round. All sampling shall be conducted in accordance with NR 716.13, Wis. Adm. Code, the Groundwater Sampling Desk Reference, PUBL-DG-037 96, and the Groundwater Sampling Field Manual, PUBL-DG-038-96.

Reporting:

After the excavation and first two rounds of groundwater monitoring, submit a Remedial Action Report to include soil disposal documentation, post-excavation soil results, monitoring well abandonment documentation, new well installation documents and the groundwater sampling results. Upon completion of the fourth round of groundwater monitoring, prepare a report that includes updated summary results tables and an evaluation of site conditions, historical soil and groundwater analytical data, disposal documentation and the evaluation for potential closure consistent with the requirements of NR 726, Wis. Adm. Code.

If closure is not appropriate upon completion of the scope of work, then the final report should provide recommendations for additional work. Bid responses will include a separate cost to prepare and submit a complete closure report and GIS Registry packet (and all other closure related costs) if closure is appropriate after completion of the scope of work. Reporting requirements specified in Section 3 must be fulfilled.

SECTION 3 - Reporting Timeframes

Within *60 days* of the Commerce notification of the maximum reimbursement amount, the responsible party (RP) must execute a written contract with one of the firms that submitted a bid. Failure to execute the written contract within this time will result in ineligibility of interest expenses incurred from the date of the reimbursement cap letter until a contract is executed and work commences at the site. Work must commence within *45 days* of signing a contract. There are specific reporting requirements in Comm 47.70 to monitor the progress of activities at each bid site and there may be additional reporting requirements outlined above. The consulting firm that is contracted to complete the scope of work is required to report the progress of this site to Commerce electronically on the web site at each of the following points:

1. Within fourteen days of executing or terminating a contract with the RP.
2. Three months after entering into the contract with the RP.
3. Twelve months after beginning the work in the successful bid, unless the project is completed before that time (point 6 applies).
4. Twelve months after submitting the previous report (point 3), unless the project is completed before that time (point 6 applies).
5. No later than 10 days after encountering a change in circumstances (the list of circumstances is in Comm 47.70 (3)).
6. No later than 30 days after completing the work.
7. As directed by Commerce.

If Commerce determines that the consulting firm is failing to make adequate progress to complete the scope of work, Commerce will notify the RP and may reduce the reimbursement to accurately reflect the work completed.

Claim Submittal

A claim must be submitted to Commerce within 120 days of submitting the report described in *Reporting Timeframe, point #6*. If a claim is not submitted by the deadline described above, interest costs from the date the report (point #6) is submitted to the date the claim is received will not be reimbursed to the claimant. The claim preparation cost must be included in the Total Bid Amount and is considered within the reimbursement cap.

Questions and Answers

Questions, answers and interpretations will be considered an amendment of this solicitation. All questions must be submitted in writing (fax and electronic mail submittals are acceptable) to the Bid Manager identified in Section 1 of this solicitation. All answers and interpretations shall be in writing from the Bid Manager. Neither the PECFA program nor Commerce shall be legally bound by any amendments or interpretations that are not in writing. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid End Date. No further questions will be addressed after the deadline for submitting questions identified in Section 1.

SECTION 4 - Conditions of Bid

The successful bidder will be the entity that complies with all provisions of the bid and provides the lowest total cost, excluding interest, for the site-specific bid requirements described in Section 2. In preparing the bid, the bidder must assume compliance with all applicable codes, including, but not limited to, §Comm 46, §Comm 47, and §NR 700 Wis. Admin. Codes.

The bid Commerce selects to determine the least costly method of remedial action will be the least costly qualified bid. Commerce will rank the bids solely on the basis of cost. Evaluation of bids will continue until the least costly qualified bid is identified. Submittals from an individual or firm during their period of disqualification from bidding, submittals received late and for submittals without a certified commitment (performance assurance and/or signature) will not be considered as bids. Commerce may disqualify a bid for the following reasons:

- Requirements of the bid specifications have not been met.
- The remedial strategy is not appropriate to the geologic setting.
- A Total Bid Amount is insufficient to fund the activities described in the bid specifications.

Commerce reserves the right to reject any and all bids.

Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the agency with jurisdiction (Natural Resources or Commerce).

The bidder Commerce intends to select may be required to provide input to and attend a meeting with the PECFA program and the claimant to explain the bid and remedial approach.

If a bid is disqualified, Commerce will provide written notification to any individual or firm that submitted a disqualified bid. The notification shall specify the reasons for the disqualification, and inform the individual or firm of their right to protest or appeal the decision. If a bid is more costly than the bid Commerce intends to select, the bid will not be reviewed.

The *Notice of Intent* will identify the least costly bid, disqualified bid(s) and bid(s) not reviewed. The *Notice of Intent* will be sent to the RP and will be posted on PECFA's Internet Web site.

SECTION 5 - Instructions to Bidders

Between the bid start and end dates, bidders shall not discuss or attempt to negotiate any aspects of the bid with the RP, other potential bidders or program staff without prior approval of the Bid Manager identified in Section 1. Infractions will result in rejection of the violator's bid and may result in a formal complaint being filed with the Department of Regulation and Licensing.

If access to the site is necessary for the preparation of a bid, access shall be arranged through the Bid Manager. If the Bid Manager is not able to arrange site access, this will not delay the bid process nor negate the comparison and selection from among the bids submitted. All costs associated with a site visit or preparation of a bid will be the bidder's responsibility.

The Bidding Process must conform to the following:

1. The Bid Response shall address all the site-specific bid requirements identified in Section 2.
2. The total bid amount to accomplish the stated goal must include all fees, reporting costs, pre- and post-closure costs and costs for establishing restrictions or institutional controls, when applicable (interest costs are excluded).
3. The submittal must include a copy of the Bid Response document signed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin. The appropriate registration number of the professional license must be included. Registration requirements are listed in Comm 5.
4. Bids *cannot* be faxed or sent electronically (email) to the program. Documents received by fax or email will not be considered.
5. Bids, amendments thereto or withdrawal requests must be received by 4 pm on the bid end date.
6. The consulting firm's name must be included and all pages of the Bid Response.
7. All costs must be printed (ink, typewritten or computer). Errors must be crossed out, corrections entered and initialed by the person signing the bid. Correction fluid is not allowed. No bid shall be altered or amended after the time specified for the bid end date.
8. Each bidder shall fully acquaint themselves with conditions relating to the scope and restrictions attending to the execution of the work under the conditions of this bid. The failure of a bidder to acquaint themselves with existing documented conditions shall in no way relieve any obligation with respect to this bid.
9. All amendments to and interpretations of this bid shall be in writing from the Bid Manager. Neither Commerce nor the program shall be legally bound by any amendment or interpretation that is not in writing.
10. This bid is intended to promote competition. If the language, specifications, terms and conditions, or any combination thereof restricts or limits the requirements in this bid to a single source, it shall be the responsibility of the interested bidders to notify the program in writing so as to be received five days prior to the opening date. The bid may or may not be changed; however a review of such notification will be made prior to award.

SECTION 6 - Bidder Disqualification

Commerce may disqualify from public bidding any individual or firm that has committed any of the following (Comm 47.67 (1) (a)):

1. Failed to complete the scope of work within the reimbursement cost cap established through public bidding.
2. Failed to complete the scope of work in a bid in a timely manner.
3. Failed to follow DNR rules on the bid project.
4. Received one or more notices from Commerce under s. Comm 47.62 (2) that assess the financial management of an investigation as unacceptable.
5. In any prior occurrence that has been publicly bid, failed to do either of the following:
 - a. Pay subcontractors after receiving payment for them.
 - b. Obtain lien waivers on or before the date of the final payment by the RP or the PECFA program, from all subcontractors paid under subd. 5. a.
6. Failed to execute a contract with the RP as required in s. Comm 47.69 (1).
7. Failed to commence work within 45 days after executing a contract, as required in s. Comm 47.69 (3).

Commerce may disqualify any individual or firm from performing further work on a project if the individual or firm has not completed any of the six reporting points required in Comm 47.70 and outlined in Section 2 of this bid document. Commerce will review and address the issue as stated in Comm 47.70 (4).

BID RESPONSE

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Department of Commerce PECFA Program

SITE NAME: Flood Oil Co., Inc. Bulk Plant

COMMERCE #: 53019-9999-00-A

BRRTS #: 02-20-195722

Submit Bid Response To: Cathy Voges
Public Bid Response
Department of Commerce PECFA Bureau
201 W. Washington Ave., Madison, WI 53703-2760 or
PO Box 8044, Madison, WI 53708-8044

Consulting Firm Name: _____

Complete Mailing _____

Address: _____

Telephone: () - _____

Fax Number: () - _____

E-mail Address: _____

Bidder (check one that applies):

<input type="checkbox"/>	Professional Engineer	License # _____
<input type="checkbox"/>	Professional Geologist	License # _____
<input type="checkbox"/>	Hydrologist	License # _____
<input type="checkbox"/>	Soil Scientist	License # _____



Use this box to certify (by marking with a check or X) a commitment to complete the work described in the bid specifications in its entirety for the Total Bid Amount proposed below. Failure to provide this performance assurance will disqualify this bid response. Providing unsolicited qualifications and/or contingency statements in your bid submittal will disqualify the bid response.

Total Bid Amount: \$ _____

Print Name: _____

Title: _____

I certify that I have the authority to commit my organization or firm to the performance of the bid I have submitted.

Signature: _____

BID RESPONSE

(2nd Page)

Department of Commerce PECFA Program

SITE NAME: Flood Oil Co., Inc. Bulk Plant

COMMERCE #: 53019-9999-00-A

BRRTS #: 02-20-195722

Consulting Firm Name: _____

A bid will be considered non-compliant if the bid response does not include a separate tabulation of costs for each activity.

1	Soil Excavation Activities (estimate 693 tons)	\$	
2	Excavation Confirmation Soil Sampling	\$	
3	Monitoring Well Abandonment (MW-3, MW-4, MW-5, MW-6P, MW-14 and MW-16)	\$	
4	Installation and Development of Four Replacement Wells (MW-4R, MW-5R, MW-14R, and MW-16R)	\$	
5	Survey New Wells (MW-4R, MW-5R, MW-14R, and MW-16R)	\$	
6	Groundwater Monitoring (One Year of Quarterly Monitoring at Ten Wells)	\$	
7	Report Documentation (One Remedial Action Report, One Summary Report, and electronic reports)	\$	
8	PECFA Claim Preparation	\$	
9	Total Bid Amount	\$	
CONTINGENCY COSTS (Will be Approved and Added to the Bid Cap as Needed)			
•	Collection and Analysis of TCLP Soil Samples for Landfill Disposal	\$	
•	Soil Excavation and Sampling Activities in Contingency Areas A and/or B (estimate 154 tons each for Areas A and B and provide costs on a per ton basis)	\$	
•	Remove and Dispose of Groundwater From Excavation (estimate 2,000 gallons)	\$	
•	Abandon, Reinstall, and Survey Wells in Contingency Areas A and /or B (potentially four wells abandoned, of which only two will be replaced)	\$	
•	Complete Closure Report with GIS Registry Packet (If Closure is Appropriate)	\$	